

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

VIKING COMMUNITY BANK, a  
WASHINGTON banking corporation, as Trustee  
for Ocean Treasures, LLC,

Plaintiff,

v.

F/V PACIFIC PRODUCER, Official Number  
250021, her engines, tackle, apparel, furniture,  
equipment, permits and licenses, *In Rem*, and  
OCEAN CREST SEAFOODS CORPORATION,  
a Washington corporation, CHRIS TSABOURIS  
and "JANE DOE" TSABOURIS, his wife, and  
their marital community, *In Personam*,

Defendants.

No. C04-1294Z

ORDER

THIS MATTER having come before the Court upon the Plaintiff's motion for default judgment *in rem*, docket no. 79, the Court having considered the records and files herein and the affidavits and declarations submitted with the motion, and the Clerk having entered an Order of Default *in rem*, docket no. 81, the Court now makes the following findings:

1. Plaintiff is entitled to a Default Judgment against the defendant vessel, no answer or claim having been made; and
2. Plaintiff's claims under its preferred marine mortgage and under the maritime liens which have been assigned to it are superior to that of any other claimant.

NOW THEREFORE, IT IS

1 ORDERED that the preferred marine mortgage on the F/V PACIFIC PRODUCER,  
2 Official Number 250021, her engines, tackle, apparel, furniture and equipment, originally in  
3 favor of Viking Community Bank as trustee for Ocean Treasures, LLC and subsequently  
4 assigned to Ocean Treasures, LLC, is foreclosed; and it is further

5 ORDERED that Ocean Treasures, LLC shall have judgment against the F/V PACIFIC  
6 PRODUCER, Official Number 250021, her engines, tackle, apparel, furniture, equipment,  
7 permits and licenses *in rem* for \$282,201.66, plus interest at the rate of \$108.49 per day from  
8 April 20, 2005 until the entry of judgment plus interest at the federal rate from the date of  
9 entry of judgment until paid, plus costs and administrative expenses in the amount of  
10 \$42,733.57, plus \$29,627.48 as reasonable attorneys' fees and costs, and plus such additional  
11 administrative expenses, attorneys' fees and costs as are subsequently approved; and it is  
12 further

13 ORDERED that the maritime liens on the F/V PACIFIC PRODUCER, Official  
14 Number 250021, her engines, tackle, apparel, furniture and equipment, which were the  
15 subject of the Complaints in Intervention which have been assigned to Ocean Treasures, LLC  
16 and for which Ocean Treasures, LLC has been substituted as plaintiff are foreclosed; and it is  
17 further

18 ORDERED that Ocean Treasures, LLC shall have judgment against the F/V PACIFIC  
19 PRODUCER, Official Number 250021, her engines, tackle, apparel, furniture, equipment,  
20 permits and licenses *in rem* for \$85,311.96, plus interest at the federal rate from April 20,  
21 2005 until paid; and it is further

22 ORDERED that the U. S. Marshal shall, pursuant to the rules of the United States  
23 District Court for the Western District of Washington, cause the F/V PACIFIC PRODUCER,  
24 Official Number 250021, her engines, tackle, apparel, furniture, equipment, permits and  
25 licenses, to be condemned and sold at public auction to the highest and best bidder, the sale  
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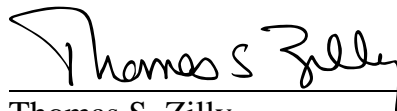
1 to be held alongside the vessel on a date and at a time satisfactory to the U. S. Marshal to be  
2 determined after entry of this Order; and it is further

3 ORDERED that at such sale, Ocean Treasures, LLC, plaintiff, is authorized to bid in  
4 any part of the judgments, accrued interest, administrative expenses and attorneys' fees and  
5 costs here awarded without cash deposit, and that, in the event the bid of Ocean Treasures,  
6 LLC, plaintiff, is the highest and best bid, the amount of such bid shall be credited on the  
7 judgment here awarded; and it is further

8 ORDERED that the U. S. Marshal shall deposit the proceeds of the sale, if any, into  
9 the Registry of the Court and the Clerk shall, after having paid all costs and administrative  
10 expenses as approved by subsequent Order, pay to Ocean Treasures, LLC, plaintiff, so much  
11 of the balance remaining as is necessary to satisfy the judgment here awarded, and the Clerk  
12 shall retain the remainder of the proceeds, if any, in the Registry of the Court subject to  
13 further Order.

14 IT IS SO ORDERED.

15 DATED this 25th day of April, 2005.

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18 Thomas S. Zilly  
19 United States District Judge  
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